

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 19293 of 1997

DATE: 19-02-2007

Between :

Y.Narasimha and 34 others.

... Petitioners

And

The Government of Andhra Pradesh,
Rep., by its Secretary,
Revenue Department, Secretariat,
Hyderabad and 6 others.

... Respondents

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 19293 of 1997

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader appearing for the respondents.

It is not in dispute that the petitioners herein were in possession of small extents of land along with the road leading to Sanjeevaiah Park to Club i.e. Ring road by encroaching the same. It is also not in dispute that in the year 1985 when the Government has taken up the Buddapurnima Project, the petitioners were evicted and they were rehabilitated at Patigadda, which was about 600 meters away from the site from where they were evicted. This writ petition was filed in the year 1997 apprehending that the respondents were proposing to allot the land at Patigadda in favour of third parties even without constructing pucca houses for the petitioners at the land which was originally in their occupation. It is claimed that they were assured by the respondents that they would be provided permanent occupation at the site originally occupied by them.

In response to the Rule Nisi ordered, the District Collector, Hyderabad filed a counter affidavit denying the plea that the petitioners were assured to provide permanent occupation near Sanjeevaiah Park, which was initially in their occupation. It is stated that the said land is not suitable for construction of houses and at any rate, in view of the Buddapurnima project as well as the necklace road constructed, it is not possible to accommodate the petitioners at the said site. It is further stated that since 1994, the petitioners have been residing in Patigadda colony 'a government employees colony' where all the

necessary basic amenities have been provided. The allegation of the petitioners that the said land is going to be allotted in favour of third parties has been denied and it is stated that there is no such proposal and on the other hand the Government has been proposing to construct a housing colony in the comprehensive lay out under the housing scheme by providing all the necessary amenities.

It is not in dispute that by virtue of the interim order of status quo granted by this Court on 01-11-1996, the petitioners are continued in the sites in their occupation in Patigadda.

Having regard to the averments in the counter affidavit filed by the District Collector, Hyderabad, no further enquiry is necessary in the writ petition.

Accordingly, recording the statement of the District Collector, Hyderabad in the counter affidavit that the Government will take up necessary steps under the housing programme to provide all basic amenities to the petitioners and that the sites in their occupation at Patigadda have not been allotted in favour of any third parties, the writ petition is disposed of. No costs.

G. ROHINI, J.

Dt. 19-02-2007

KLP

